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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,562	12/22/2003	Renuga Gopal	NAA 0020 PA/41049.22	5054

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EXAMINER

DIXON, MERRICK L

ART UNIT	PAPER NUMBER
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1774

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1774

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1--20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusy et al(US 5869178) in view of Hillerich III et al(US 5904803).

The cited primary reference teaches the basic claimed process including drawing fiber and resin material through a mold device and curing the fiber/resin material- col 1, lines 49-63; col 3, lines 1-67; col 4, l12-19. although the primary reference teaches spreading/movable mold parts (figs 1 & 2), the secondary reference more clearly show that it is known in the art to employ collapsible molding device to mold mixtures/composites as taught by the primary reference-figs 6 and 7; col 2, lines 60-67; see entire reference. It would have been obvious to one of ordinary skill in the art at the time the invention is made to combine the teachings of the secondary reference , and utilize such notorious devices during the primary reference's steps in the absence of unexpected results and motivated by process expedience(i.e., mold removal).

Concerning claims 2-5 and 8-14, the primary reference teaches orientating its device; impregnating the product;bending the device compressing, curing and pulling the fibers. col 1, lines 60-63;; col 3, lines 29-60;; col 5, lines 16-24; col 10, lines 1-11.

Concerning claim 17, ,18,20, the obvious combined teaching of the references teaches the claimed invention . Concerning claims 15 and 16, the examiner submits it would be within the knowledge of the skilled artisan to so manipulate the die of the secondary

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reference to cause the fibers to so distribute, as claimed in the absence of unexpected results

It is submitted the composite shape, its intended use and device used during the process are directed to article limitations/apparatus limitations and are of no patentable consequences to the instant question for patentability which must be manipulatively distinct. It is however, submitted it would have been obvious to the skilled artisan to use any type apparatus to impart desired product size/design on the product, in the absence of unexpected results. Concerning claim 6, the secondary reference heats its device to shrink it- see abstract; see entire reference.

3. Applicant's arguments filed 3-6-06 have been fully considered but they are not persuasive. Applicants argue that the Kusy and Hillerich references are nonanalogous art because each make separate articles. To this the examiner respectfully reminds applicants that the references are submitted/applied for reasons articulated in the office action and not for reasons contended by applicants. Thus, the secondary reference is employed to show that collapsible devices are well known in the art. Applicants argue no motivation exists in the references to combine them together. The examiner disagrees as motivation was expressly articulated in the previous office action. Applicants further argue that in order to use the secondary reference's die, same die would need to be repeatedly replaced/removed after each curing. To this the examiner respectfully reminds applicants that the office is in no position to experimentally determine, in a process such as that at issue, whether such removal/reinsertions steps

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of the die would necessarily be the sole process avenue during the obvious combined teaching of the references. In such case, this shifts the burden to applicant who have the resources to experimentally define the differences, including any uneven fiber distribution in the composite, between the cited references and claimed invention.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Applicants who wish to send a facsimile (draft copies) for the examiner's immediate review can do so by using the Examiner's personal fax number at 571-273-1520. The faxing of all papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989). **NOTE: All facsimiles sent to the examiner's personal fax number should be in draft-forms and will be treated as informal.**

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Same facsimiles will not be entered in the related applications unless

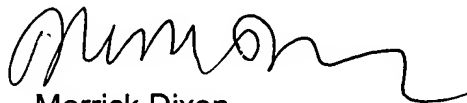
otherwise agreed and noted by the examiner.

The fax number for all other fascimile is 571-273-8300.

Information about **the status of an application** may be obtained from the Patent Information Retrieval system (**Private PAIR**).

Status inquires for **published applications** may be retrieved from either **Private PAIR** or **Public PAIR**. Questions about the PAIR system should be directed to the Electronic Business Center at **866-217-9197**.

Any questions concerning the instant communication should be directed to Examiner Dixon, at 571-272-1520, Mondays, Wednesdays and Thursdays, between 12 noon and 8 PM, eastern time .

A handwritten signature in black ink, appearing to read 'Merrick Dixon', with a stylized, flowing script.

Merrick Dixon

Primary Examiner

Group 1700